

SHEILA FRIDAY, CHERYL COLEMAN,)	
DAVID MORGAN, EMMANUEL)	
IMOUKHUEDE, SONYA NORWOOD,)	
)	JURY TRIAL DEMANDED
in their capacities as)	
)	
BOARD MEMBERS,)	
)	
BOARD OF EDUCATION OF)	
RICH TOWNSHIP HIGH SCHOOL,)	
DISTRICT 227)	

COMPLAINT

Now Comes Plaintiff, BRYAN CRAIG, by and through his counsel STEPHEN L. RICHARDS and complains of Defendants RICH TOWNSHIP HIGH SCHOOL DISTRICT 227, DR. DONNA LEAK , in her capacity as SUPERINTENDENT, RICH TOWNSHIP HIGH SCHOOL, DISTRICT 227, BOARD OF EDUCATION OF RICH TOWNSHIP HIGH SCHOOL, DISTRICT 227, BETTY J. OWENS, in her capacity as PRESIDENT, BOARD OF EDUCATION OF RICH TOWNSHIP HIGH SCHOOL, DISTRICT 227, SHEILA FRIDAY, CHERYL COLEMAN, DAVID MORGAN, EMMANUEL IMOUKHUEDE, SONYA NORWOOD, in their capacities as BOARD MEMBERS, BOARD OF EDUCATION OF RICH TOWNSHIP HIGH SCHOOL, DISTRICT 227

In support, Plaintiff states as follows:

Jurisdiction

1. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's rights as secured by the United States Constitution.
2. This Court has jurisdiction of the action pursuant to 28 U.S.C. Secs. 1331, 1343, and 1367.

3. Venue is proper under 28 U.S.C. Sec. 1391(b). All parties reside in this judicial district and the events giving rise to the claims asserted in this complaint occurred within this district.
4. The action described in this complaint occurred on September 18, 2012 at Rich Township High School District 227, 20550 S. Cicero Avenue, Matteson, IL 60443
5. Rich Township High School, District 227 and the Board Of Education of Rich Township High School, District 227 are units of local government located in Cook County, Illinois.
6. Upon information and belief, Dr. Donna Leak is a resident of Cook County, Illinois.
7. Upon information and belief, Betty J. Owens is a resident of Cook County, Illinois.
8. Upon information and belief, Sheila Friday is a resident of Cook County, Illinois.
9. Upon information and belief, Cheryl Coleman is a resident of Cook County, Illinois.
10. Upon information and belief, David Morgan is a resident of Cook County, Illinois.
11. Upon information and belief, Emmanuel Imoukhuede is a resident of Cook County, Illinois.
12. Upon information and belief, Sonya Norwood is a resident of Cook County, Illinois.

Factual Allegations

13. At all pertinent times, plaintiff Bryan Craig was employed as a tenured guidance counselor by defendants Rich Township High School, District 227 and the Board of Education of Rich Township High School, District 227.
14. On July 28, 2012, Bryan Craig self-published a self-help book entitled "It's Her Fault."
15. The book included an "Editor's Note," written by a teacher at Rich Township High

School, District 27, Kylie Gregor.

16. The book, which is addressed mainly towards women, claims to provide women with a “roadmap to having the upper hand in a relationship with a man.”
17. On September 14, 2012, defendant Donna Leak, Superintendent of Rich Township High School District 227 sent Bryan Craig a letter.
18. The letter stated that District 227’s Administration had “received concerns from members of the School District community regarding the publication of your book, ‘It’s Her Fault.’ An investigation of the concerns has been conducted and a determination has been reached that you have violated School District policies, procedures and core objectives. A copy of the Charges and a Bill of Particulars are attached to this correspondence. It is my opinion that the Charges provide good cause for a recommendation to terminate your employment as a Guidance Counselor at the School District.”
19. Attached to the letter was a copy of a document entitled “Charges of Misconduct” and a “Bill of Particulars.”
20. The document entitled “Charges of Misconduct” contains 23 numbered points.
21. The first 18 points of the “Charges” are all directly based upon the publication of “It’s Her Fault.”
22. Points 19, 20, 21, and 22 reference past conduct by plaintiff Craig, but points 19, 20, 21, and 23 all explicitly reference the publication of “It’s Her Fault,” as the reason for dismissal.
23. The “Bill of Particulars” relating to the “Charges,” contains 33 factual allegations, many of which duplicate the charges, and all of which relate to Craig’s publication of “It’s Her

Fault.”

24. On September 18, defendant Board of Education of Rich Township High School, District 227, issued a Resolution, signed by defendant Betty J. Owens as President of defendant Board and by the defendant Board members, adopting the Charges and Bill of Particulars, finding cause for the dismissal of Bryan Craig, and authorizing the President and Secretary of the Board to prepare and serve “such additional notice and documentation as may be necessary to effect the dismissal of Bryan Craig as a teacher in this School District.”

COUNT I

VIOLATION OF CONSTITUTIONAL RIGHTS UNDER THE FIRST AND FOURTEENTH AMENDMENTS, IN VIOLATION OF SECTION 42 U.S.C. § 1983 AGAINST ALL DEFENDANTS

25. Plaintiff re-alleges and incorporates the above allegations made in this complaint.
26. The acts of all defendants constitute cognizable state action under color of state law.
27. By suspending Bryan Craig without pay and dismissing him, the defendants and each of them, engaged in of restraining plaintiff's free speech on a matter of public concern and retaliating against Plaintiff because of such speech, in violation of the First Amendment to the United States Constitution. Because rights under the Constitution are federally protected, defendants also violated plaintiff's rights under 42 U.S.C. §1983.
28. Bryan Craig's speech as contained in the publication “It's Her Fault,” was not made pursuant to his official duties.
29. Bryan Craig's speech as contained in the publication “It's Her Fault,” was on a matter of public concern, relationships between adult men and women.

30. Defendants' interests in promoting the efficiency of Rich Township High School, District 227 are not sufficient to outweigh Bryan Craig's free speech interests.
31. Bryan Craig's speech as contained in the publication "It's Her Fault" was a motivating factor in defendants' decision to suspend and dismiss Bryan Craig.
32. Defendants would not have reached the same employment decision in the absence of the Bryan Craig's speech as contained in the publication "It's Her Fault."
33. As a direct and proximate result of the unlawful conduct of defendants, and each of them, as alleged herein, plaintiff has suffered and will continue to suffer loss of seniority, earnings, employment and retirement benefits and promotional opportunities in an amount as yet not specifically ascertained but subject to proof of trial.
34. As a direct and proximate result of the unlawful conduct of the defendants, and each of them, as alleged herein, plaintiff has suffered and continues to suffer humiliation, mental anguish and emotional distress, all in an amount as yet ascertained but subject to proof at trial.
35. The conduct of defendants, and each of them, as alleged herein, is ongoing and continuous. Because defendants' treatment of plaintiff impacts plaintiff's emotional state as well as his ability to find alternative employment, legal remedies alone are insufficient.
36. All of the actions of the defendants alleged herein, separately and in combination, deprived plaintiff of substantive due process rights by unlawfully depriving him of his liberty interest in pursuing his profession and advancement therein; and maintaining his professional reputation, standing, and ability to earn an income.

WHEREFORE, Plaintiff Bryan Craig prays for judgment in his favor and against Defendants in a fair and just amount sufficient to compensate him for the injuries he

suffered, plus, Plaintiff seeks costs and reasonable attorney fees, and all such other relief as this Court finds just and equitable.

BRYAN CRAIG

Plaintiff, /s/ Stephen L. Richards
By: Stephen L. Richards

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